

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDWIN F. VARGAS,
Plaintiff

v.

LIONEL PIERRE, *et al.*,
Defendants

: No. 3:24-CV-0492
:
: (Judge Munley)
:
:
:
:
:

ORDER

AND NOW, in accordance with the accompanying Memorandum, IT IS

ORDERED THAT:

1. Plaintiff's Section 1983 First and Fourteenth Amendment claim alleging denial of access to courts is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
2. Plaintiff's Section 1983 First Amendment free expression claim is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
3. Plaintiff, if he so desires, may file a second amended complaint in conformity with the accompanying Memorandum within **14 days** of the date of this Order. If a second amended complaint is not timely filed, this case will proceed only as to Plaintiff's Section 1983 Fourteenth Amendment conditions-of-confinement claim against Corrections Officer Emmrich.

Date: 7/9/24

BY THE COURT:


JUDGE JULIA K. MUNLEY
United States District Court